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10/743,374	12/22/2003	Timo Ala-Lehtimaki	KOLS.078PA	9338
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/743,374

Applicant(s)

ALA-LEHTIMAKI ET AL.

Examiner

Diego Herrera

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12/22/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 1, 13 and 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-12, and 14-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 2-12, 14-18, and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rolnik et al. (US publication 20030207701 A1), and in view of Padawer et al. (US publication 20020115476 A1).

Regarding claim 11. A terminal of a radio communication system for transmitting an electronic message with user-defined contents, the terminal comprising:  
a wireless transceiver (paragraph [0036], Rolnik et al. teaches mobile phone, hence, mobile phones have a transceiver to be able to operate);  
a user interface element (paragraph [0036], Rolnik et al. teaches key strokes, presses, and key-lock; hence, the ability of an user to interact with mobile communication device); and  
a processing unit coupled to the wireless transceiver and the user interface element (paragraph [0053], Rolnik et al. teaches processing of inputs from user, hence, the processing unit coupled to the user interface element; and paragraph [0074], Rolnik et al. teaches entering and processing and transmitting can be associated with a more sophisticated look-up algorithm see also table 2 for example), configured to receive an input defining the contents of the electronic message from the user interface element (paragraph [0078], Rolnik et al. teaches input information from user interface element defining the content to be that of electronic message type), to receive a predefined shorthand for a destination of the electronic message from the user interface element (paragraph [0074] and table 2, Rolnik et al. teaches a more sophisticated look-up table that has predefined shorthand for destination for electronic message from the user

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interface element), to associate the shorthand for the destination with a full destination (fig. 2a, Rolnik et al. shows entering triplet number and as shown the full destination is related and a function of accessing or calling that number has been decided due to the ability to enter the triplet number), and to transmit the message with user-defined contents to the full destination utilizing the wireless transceiver (paragraph [0106], Rolnik et al. teaches the ability to communicate to other devices through transceiver, hence, ability to transmit data);

However, Rolnik et al. does not specifically discloses one of the following wherein the electronic message with user-defined contents is one of a digital image or drawing created by means of a camera or a touch pad coupled to the terminal, a digital sound recording, data inputted over a serial data interface, material inputted to the terminal from a device external to the terminal; nevertheless, Padawer et al. teaches one of touch pad coupled to the terminal (paragraph [0026], Padawer et al. teaches at least one of a touch pad hence input device). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to specifically include wherein the electronic message with user-defined contents is one of a touch pad coupled to the terminal as taught by Padawer et al. for the purposes of accommodating the user with a more simple and quick way to launch application and composing of electronic messages (paragraph [0025], Padawer et al.)

Consider claim 2. The terminal of claim 11, wherein the user interface element includes a plurality of keys, and the processing unit is configured to receive key

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presses, which represent the shorthand for the destination (paragraph [0026], Padawer et al. teaches keypad and multi-key keyboard and a processor; paragraph [0038], Padawer et al. teaches the mobile electronic device monitors for quick or shortcut keystrokes, voice inputs, cursor inputs and processing the user's inputs).

Consider claim 3. The terminal of claim 2, wherein the shorthand for the destination includes a speed dialing number, which includes a plurality of dialing digits (paragraph [0044], Padawer et al. teaches that the mobile device monitors and determines if keypad input is a speed dial input wherein the associated information of the full destination is carried out).

Consider claim 4. The terminal of claim 2, wherein the processing unit is configured to interpret a key press of a key associated with the shorthand lasting longer than a predetermined time as the shorthand for the destination (fig. 1a, paragraph [0038], Rolnik et al. teaches monitoring duration of key presses).

Consider claim 5. The terminal of claim 2, wherein the processing unit is configured to interpret a key press of a key associated with the shorthand followed by a key press of another key as the shorthand for the destination (fig. 2a, elements 203, 205, 209, and 213; paragraph [0085], Rolnik et al. teaches action button and third glyph being pressed and associated with full destination).

Consider claim 6. The terminal of claim 11, wherein the user interface element includes a microphone, and the processing unit is configured to recognize voice as the shorthand for the destination (paragraph [0038], Padawer et al. teaches voice inputs hence user interface element includes microphone).

Consider claim 9. The terminal of claim 11, wherein the electronic message with user-defined contents includes a data message (paragraph [0040], Padawer et al. teaches shortcut input associated with application, email address, telephone number, and the like).

Consider claim 12. The terminal of claim 11, wherein the full destination defines one of a subscriber identifier of the radio communication system, a group of subscriber identifiers of the radio communication system, an e-mail address, a group of e-mail addresses, another terminal of the radio communication system, a computer, an Internet Protocol IP address (paragraph [0040], Padawer et al. teaches at least one of shortcut input associated with application, email address, URL, telephone number, and the like).

Consider claim 7. A terminal of a radio communication system for transmitting an electronic message with user-defined contents, the terminal comprising:  
a wireless transceiver (paragraph [0036], Rolnik et al. teaches mobile phone, hence, mobile phones have a transceiver to be able to operate);

a user interface element (paragraph [0036], Rolnik et al. teaches key strokes, presses, and key-lock; hence, the ability of an user to interact with mobile communication device); and

a processing unit coupled to the wireless transceiver and the user interface element (paragraph [0053], Rolnik et al. teaches processing of inputs from user, hence, the processing unit coupled to the user interface element; and paragraph [0074], Rolnik et al. teaches entering and processing and transmitting can be associated with a more sophisticated look-up algorithm see also table 2 for example), configured to receive an input defining the contents of the electronic message from the user interface element (paragraph [0078], Rolnik et al. teaches input information from user interface element defining the content to be that of electronic message type), to receive a predefined shorthand for a destination of the electronic message from the user interface element (paragraph [0074] and table 2, Rolnik et al. teaches a more sophisticated look-up table that has predefined shorthand for destination for electronic message from the user interface element), to associate the shorthand for the destination with a full destination (fig. 2a, Rolnik et al. shows entering triplet number and as shown the full destination is related and a function of accessing or calling that number has been decided due to the ability to enter the triplet number), and to transmit the message with user-defined contents to the full destination utilizing the wireless transceiver (paragraph [0106], Rolnik et al. teaches the ability to communicate to other devices through transceiver, hence, ability to transmit data);

However, Rolnik et al. doesn't specifically disclose wherein the user interface



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element includes a touch pad, and the processing unit is configured to recognize a special touch as the shorthand for the destination; nevertheless, Padawer et al. teaches one of touch pad coupled to the terminal (paragraph [0026], Padawer et al. teaches at least one of a touch pad hence input device). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to specifically include wherein the electronic message with user-defined contents is one of a touch pad coupled to the terminal as taught by Padawer et al. for the purposes of accommodating the user with a more simple and quick way to launch application and composing of electronic messages (paragraph [0025], Padawer et al.).

Consider claim 27. (New) The terminal of claim 7, further comprising a feedback unit configured to provide tactile feedback for the special touch (Applicant has admitted this limitation to be a prior art solution, hence, well known in the art see paragraph [0041] of applicant's specification).

Consider claim 28. (New) The terminal of claim 7, wherein the shorthand is a speed dial associated shorthand for the destination (paragraph [0044], Padawer et al. teaches speed dial function and monitoring of such).

Consider claim 8. A terminal of a radio communication system for transmitting an electronic message with user-defined contents, the terminal comprising:

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a wireless transceiver (paragraph [0036], Rolnik et al. teaches mobile phone, hence, mobile phones have a transceiver to be able to operate);

a user interface element (paragraph [0036], Rolnik et al. teaches key strokes, presses, and key-lock; hence, the ability of an user to interact with mobile communication device); and

a processing unit coupled to the wireless transceiver and the user interface element (paragraph [0053], Rolnik et al. teaches processing of inputs from user, hence, the processing unit coupled to the user interface element; and paragraph [0074], Rolnik et al. teaches entering and processing and transmitting can be associated with a more sophisticated look-up algorithm see also table 2 for example), configured to receive an input defining the contents of the electronic message from the user interface element (paragraph [0078], Rolnik et al. teaches input information from user interface element defining the content to be that of electronic message type), to receive a predefined shorthand for a destination of the electronic message from the user interface element (paragraph [0074] and table 2, Rolnik et al. teaches a more sophisticated look-up table that has predefined shorthand for destination for electronic message from the user interface element), to associate the shorthand for the destination with a full destination (fig. 2a, Rolnik et al. shows entering triplet number and as shown the full destination is related and a function of accessing or calling that number has been decided due to the ability to enter the triplet number), and to transmit the message with user-defined contents to the full destination utilizing the wireless transceiver (paragraph [0106], Rolnik et al. teaches the ability to communicate to

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other devices through transceiver, hence, ability to transmit data); wherein the user interface element includes a motion-sensing device, and the processing unit is configured to recognize a special motion as the shorthand for the destination (applicant has presented this limitation as a solution from prior art described in the applicant's specification, hence, well known in the art).

Consider claim 29. (New) The terminal of claim 8, wherein the shorthand is a speed dial associated shorthand for the destination (paragraph [0044], Padawer et al. teaches speed dial function and monitoring of such).

Consider claim 10. A terminal of a radio communication system for transmitting an electronic message with user-defined contents, the terminal comprising: a wireless transceiver (paragraph [0036], Rolnik et al. teaches mobile phone, hence, mobile phones have a transceiver to be able to operate); a user interface element (paragraph [0036], Rolnik et al. teaches key strokes, presses, and key-lock; hence, the ability of an user to interact with mobile communication device); and a processing unit coupled to the wireless transceiver and the user interface element (paragraph [0053], Rolnik et al. teaches processing of inputs from user, hence, the processing unit coupled to the user interface element; and paragraph [0074], Rolnik et al. teaches entering and processing and transmitting can be associated with a more sophisticated look-up algorithm see also table 2 for example), configured to receive an input defining the contents of the electronic

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message from the user interface element (paragraph [0078], Rolnik et al. teaches input information from user interface element defining the content to be that of electronic message type), to receive a predefined shorthand for a destination of the electronic message from the user interface element (paragraph [0074] and table 2, Rolnik et al. teaches a more sophisticated look-up table that has predefined shorthand for destination for electronic message from the user interface element), to associate the shorthand for the destination with a full destination (fig. 2a, Rolnik et al. shows entering triplet number and as shown the full destination is related and a function of accessing or calling that number has been decided due to the ability to enter the triplet number), and to transmit the message with user-defined contents to the full destination utilizing the wireless transceiver (paragraph [0106], Rolnik et al. teaches the ability to communicate to other devices through transceiver, hence, ability to transmit data); wherein the electronic message with user-defined contents is a Multimedia Message Service MMS message (this an apparatus claim not a method claim, hence, examiner declines to address this limitation since it is not part of the device or apparatus).

Consider claim 30. (New) The terminal of claim 10, wherein the shorthand is a speed dial associated shorthand for the destination (paragraph [0044], Padawer et al. teaches speed dial function and monitoring of such).

Consider claim 14. A terminal of a radio communication system for transmitting

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an electronic message with user-defined contents (paragraph [0036], Rolnik et al. teaches mobile phone, hence, mobile phones have a transceiver to be able to operate), the terminal comprising:

wireless transmitting means for transmitting an electronic message with user-defined contents via a Wireless Local Area Network (WLAN) (paragraph [0106], Rolnik et al. teaches transceiver, hence, wireless transmitting means);

user interface means for interacting with a user of the terminal; and processing means for receiving an input defining the contents of the electronic message

from the user interface means (paragraph [0053], Rolnik et al. teaches

processing of inputs from user, hence, the processing unit coupled to the user interface element; and paragraph [0074], Rolnik et al. teaches entering and

processing and transmitting can be associated with a more sophisticated look-up

algorithm see also table 2 for example; paragraph [0078], Rolnik et al. teaches

input information from user interface element defining the content to be that of electronic message type), for receiving a predefined shorthand for a destination

of the electronic message from the user interface means (paragraph [0074] and

table 2, Rolnik et al. teaches a more sophisticated look-up table that has

predefined shorthand for destination for electronic message from the user

interface element), for associating the shorthand for the destination with a full

destination (fig. 2a, Rolnik et al. shows entering triplet number and as shown the

full destination is related and a function of accessing or calling that number has

been decided due to the ability to enter the triplet number), and for transmitting

the message with user-defined contents to the full destination utilizing the

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wireless transmitting means (paragraph [0106], Rolnik et al. teaches the ability to communicate to other devices through transceiver, hence, ability to transmit data);

However, Rolnik et al. does not specifically discloses one of the following wherein the electronic message with user-defined contents is one of a digital image or drawing created by means of a camera or a touch pad coupled to the terminal, a digital sound recording, data inputted over a serial data interface, material inputted to the terminal from a device external to the terminal; nevertheless, Padawer et al. teaches one of touch pad coupled to the terminal (paragraph [0026], Padawer et al. teaches at least one of a touch pad hence input device). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to specifically include wherein the electronic message with user-defined contents is one of a touch pad coupled to the terminal as taught by Padawer et al. for the purposes of accommodating the user with a more simple and quick way to launch application and composing of electronic messages (paragraph [0025], Padawer et al.).

Consider claim 15. The terminal of claim 14, wherein the user interface means include keying means, and the processing means are configured to receive key presses, which represent the shorthand for the destination (fig. 2a, elements 203, 205, 209, and 213; paragraph [0085], Rolnik et al. teaches action button and third glyph being pressed and associated with full destination).

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Consider claim 16. The terminal of claim 14, wherein the user interface means includes voice- capturing means, and the processing means are configured to recognize voice as the shorthand for the destination (paragraph [0038], Padawer et al. teaches voice inputs hence user interface element includes microphone).

Consider claim 17. The terminal of claim 14, wherein the user interface means includes touch-sensing means, and the processing means are configured to recognize a special touch as the shorthand for the destination (paragraph [0026], Padawer et al. teaches touch pad, hence, the ability to assign a special touch to be processed to a short cut or speed dial destination...furthermore, applicant presents this limitation in the specification as a prior art solution see paragraph [0041]).

Consider claim 18. The terminal of claim 14, wherein the user interface means includes motion-sensing means, and the processing means are configured to recognize a special motion as the shorthand for the destination (applicant has presented this limitation as known in prior art solutions paragraphs [0041] & [0042]).

Claims 19-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rolnik et al., Padawer et al. and further in view of Miller, Jr. et al. (US patent 6370018 B1).

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Regarding claim 19. A method for transmitting an electronic message with user-defined contents utilizing a terminal of a radio communication system (paragraph [0036], Rolnik et al. teaches mobile phone, hence, mobile phones have a transceiver to be able to operate), the method comprising:

receiving an input defining the contents of the electronic message (paragraph [0036], Rolnik et al. teaches key strokes, presses, and key-lock; hence, the ability of an user to interact with mobile communication device);

receiving a predefined shorthand for a destination of the electronic message (paragraph [0074] and table 2, Rolnik et al. teaches a more sophisticated look-up table that has predefined shorthand for destination for electronic message from the user interface element);

a associating the shorthand for the destination with a full destination (fig. 2a, Rolnik et al. shows entering triplet number and as shown the full destination is related and a function of accessing or calling that number has been decided due to the ability to enter the triplet number);

however, Rolnik et al. does not disclose specifically at least one of the wirelessly transmitting the message over a Wireless Local Area Network (WLAN) via a WLAN transceiver with user-defined contents to the full destination, listed below:

creating a digital image or drawing as the electronic message with user-defined contents;

creating a digital sound recording as the electronic message with user-defined contents;

receiving data inputted over a serial data interface as the electronic message



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with user-defined contents;

receiving material from a device external to the terminal as the electronic message with user-defined contents.

Nevertheless, Miller et al. teaches at least one of a portable computer keyboard interacting with a mobile device for the inputting data to a mobile device (title, abstract, fig. 12-15, col. 6 lines: 57-67—col. 7 lines1-5, Miller et al. teaches portable computer keyboard, hence, receiving data inputted over a serial data interface as the electronic message with user-defined contents). therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include a portable computer keyboard for sending data inputted by user with user-defined contents as taught by Miller et al. for the purpose of an improved keyboard enables touch typing for the quick and efficient input of data (col. 1 lines: 46-49).

Consider claim 20. The method of claim 19, wherein the reception of the shorthand for the destination of the electronic message includes: receiving key presses, which represent the shorthand for the destination (fig. 2a, Rolnik et al. shows entering triplet number and as shown the full destination is related and a function of accessing or calling that number has been decided due to the ability to enter the triplet number).

Consider claim 21. The method of claim 20, wherein the method further comprises:

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interpreting a key press of a key associated with the shorthand lasting longer than a predetermined time as the shorthand for the destination (paragraph [0010], [0029], Padawer et al. teaches monitoring duration of key pressed associated with speed dial).

Consider claim 22. The method of claim 20, wherein the method further comprises:

interpreting a key press of a key associated with the shorthand followed by a key press of another key as the shorthand for the destination (fig. 2a, elements 203, 205, 209, and 213; paragraph [0085], Rolnik et al. teaches action button and third glyph being pressed and associated with full destination).

Consider claim 23. The method of claim 19, wherein the reception of the shorthand for the destination of the electronic message includes: recognizing voice as the shorthand for the destination (paragraph [0038], Padawer et al. teaches voice inputs, hence, user interface element includes microphone).

Consider claim 24. The method of claim 19, wherein the reception of the shorthand for the destination of the electronic message includes: recognizing a special touch of a touch-sensitive area of the terminal as the shorthand for the destination (paragraph [0026], Padawer et al. teaches touch pad, hence, the ability to assign a special touch to be processed to a short cut or

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speed dial destination...furthermore, applicant presents this limitation in the specification as a prior art solution see paragraph [0041]).

Consider claim 25. The method of claim 19, wherein the reception of the shorthand for the destination of the electronic message includes: recognizing a special motion as the shorthand for the destination (applicant has presented this limitation as known in prior art solutions paragraphs [0041] & [0042]).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diego Herrera whose telephone number is (571) 272-0907. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Diego Herrera  
Patent Examiner



LESTER G. KINCAID  
UNITED STATES PATENT AND TRADEMARK OFFICE  
UNITED STATES PATENT EXAMINER